



Attorney Docket: S300-9901-013C

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of **RECEIVED**

ARTHUR J. SHRADER

FEB 20 2004

Group Art Unit: 3728

Serial No. 10/076,257

OFFICE OF PETITIONS

Examiner: Luan K. Bui

Filed: 02/13/2002

For: PERSONAL IDENTIFICATION
FOR IMPROVED HYGIENE

PETITION TO REVIVE AND CONTINUED EXAMINATION REQUEST

Honorable Commissioner of Patents and Trademarks
Washington, D. C. 20231

Sir:

This is in response to the Notice of Abandonment mailed January 22, 2004.

Abandonment of the application was completely inadvertent and unintentional; and the entire delay in filing from the due date for the reply until the filing of a grantable petition was and is unintentional. Applicant had intended to file a Request for Continued Examination prior to the expiration of the response period but due to inadvertence and mistake did not do so. It had been the intent of Applicant to timely file a Request for Continued Examination so as to proceed with further examination of a newly proposed claim on its merits

In view of the foregoing, Applicant submits herewith the

following items:

1. Transmittal Form PTO/SB/21
2. Petition for Revival of an Application for Patent
Abandoned Unintentionally Under 37 CFR 1.37(b)
PTO/SB/64
3. Request for Continued Examination PTO/SB/30
4. A check in the amount of \$1050 in payment of the required fees.

It is respectfully requested that the Petition for Revival be granted, that the Request for Continued Examination be granted, that the most recent proposed changes to the claim be entered and that an action on the merits be made.

Respectfully,

Dated: February 11, 2004

Harold Levine
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CERTIFICATE OF MAILING

I hereby certify that the above-noted paper is being deposited with the United States Postal Service as first class mail in an envelope addressed to Mail Stop AF, Commissioner for Patents, PO Box 1450, Alexandria, VA 22313-1450 on February 11, 2004.



Harold Levine



PTO/SB/64 (11-03)

Approved for use through 07/31/2006. OMB 0651-0031
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT ABANDONED UNINTENTIONALLY UNDER 37 CFR 1.137(b)

Docket Number (Optional)

First named inventor: Arthur J. Shrader

Application No.: 10/076,257

Art Unit: 3728

Filed: 02/13/02

Examiner: Luan K. Bui

Title: PERSONAL IDENTIFICATION
FOR IMPROVED HYGIENE

Attention: Office of Petitions
Mail Stop Petition
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450
FAX: (703) 872-9306

NOTE: If information or assistance is needed in completing this form, please contact Petitions Information at (703) 305-9282.

The above-identified application became abandoned for failure to file a timely and proper reply to a notice or action by the United States Patent and Trademark Office. The date of abandonment is the day after the expiration date of the period set for reply in the Office notice or action plus an extensions of time actually obtained.

APPLICANT HEREBY PETITIONS FOR REVIVAL OF THIS APPLICATION

NOTE: A grantable petition requires the following items:

- (1) Petition fee;
- (2) Reply and/or issue fee;
- (3) Terminal disclaimer with disclaimer fee --required for all utility and plant applications filed before June 8, 1995; and for all design applications; and
- (4) Statement that the entire delay was unintentional.

1. Petition fee

Small entity-fee \$ 665.00 (37 CFR 1.17(m)). Applicant claims small entity status. See 37 CFR 1.27.

Other than small entity - fee \$ _____ (37 CFR 1.17(m))

2. Reply and/or fee

A. The reply and/or fee to the above-noted Office action in the form of Petition to Revive and Continued Examination Request (identify type of reply):

has been filed previously on _____.
 is enclosed herewith.

B. The issue fee of \$ _____.

has been paid previously on _____.
 is enclosed herewith.

[Page 1 of 2]

This collection of information is required by 37 CFR 1.137. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 1.0 hour to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

3. Terminal disclaimer with disclaimer fee

Since this utility/plant application was filed on or after June 8, 1995, no terminal disclaimer is required.

A terminal disclaimer (and disclaimer fee (37 CFR 1.20(d)) of \$ _____ for a small entity or \$ _____ for other than a small entity) disclaiming the required period of time is enclosed herewith (see PTO/SB/63).

4. STATEMENT: The entire delay in filing the required reply from the due date for the required reply until the filing of a grantable petition under 37 CFR 1.137(b) was unintentional. [NOTE. The United States Patent and Trademark Office may require additional information if there is a question as to whether either the abandonment or the delay in filing a petition under 37 CFR 1.137(b) was unintentional (MPEP 711.03(c), subsections (III)(C) and (D))].

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

2/11/04

Date



Signature

Telephone

Number: 972-398-6041

Harold Levine

Typed or printed name

101 E. Park Blvd., Suite 755

Address

Plano, TX 75074

Address

Enclosures: Fee Payment

Reply

Terminal Disclaimer Form

Additional sheets containing statements establishing unintentional delay

Other: _____

CERTIFICATE OF MAILING OR TRANSMISSION [37 CFR 1.8(a)]

I hereby certify that this correspondence is being:

deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to: Mail Stop Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

transmitted by facsimile on the date shown below to the United States Patent and Trademark Office at (703) 872-9306.

2-11-04

Date



Signature

Harold Levine

Type or printed name of person signing certificate